

***** UNITED STATES DISTRICT COURT *****

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 3:04cv660 (GLS/GJD)

RONNIE D. UPDYKE,

Plaintiff(s),

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

____ JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 x DECISION by COURT. This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the Report and Recommendations of USMJ DiBianco is accepted and adopted, the decision of the Commissioner be affirmed and the complaint be dismissed, all in accordance with the Memorandum-Decision and Order of the Hon. Gary L. Sharpe, US District Judge, dd 4/17/06.


Clerk of Court

DATE: April 18, 2006

s/WILLIAM J. GRIFFIN

By: _____

DEPUTY CLERK